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March 25, 2014

VIA ECF

Honorable Lorna G. Schofield
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: **DIBA Family Limited Partnership et al. v. Ross and
Werngren-Ross, 13 Civ. 6384 (LGS)**

Dear Judge Schofield:

This joint status letter is transmitted pursuant to the Court's March 4, 2014 docket entry following a status conference held by telephone that day.

At our most recent status conference, Your Honor was advised that the files located in the office of the New York City Civil Court in connection with a prior litigation were anticipated by both parties to be necessary to brief the Defendants' motion to dismiss.

Plaintiffs' counsel's letter to the County Clerk requesting an expedited retrieval of the file resulted in delivery of the file to the Civil Court late last week. We have had the file examined by a local Court Service and have been advised that the file contains approximately 2,000 pages. Because the file cannot leave the Court House, the Court Service estimates that the time to copy the file will take up to ten working days using the facilities available at the Court House. We are hopeful to receive the documents for review no later than April 10, 2014. In light of the foregoing, the parties respectfully request time to receive and review the documents.

In light of this development, and to take into account the Passover holiday, the parties respectfully request that the schedule for Defendants' motion to dismiss be modified as follows:

May 2, 2014: motion due
June 2, 2014: opposition due
June 9, 2014: reply due

Thank you for your consideration of the within.

Very truly yours,

LAW OFFICE OF ROBERT J. GUMENICK, PC

By: _____


Robert J. Gumenick

cc: Harry H. Rimm, Esq.